

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

WP(C).No. 30822 of 2006(T)

PETITIONER:

**JASMIN MARY CHACKO,
KARAMPENETTU HOUSE, NARANAMMUZHI P.O.,
RANNI - PERUNADU, PATHANAMTHITTA.
H.S.S.T. (COMPUTER APPLICATION, ST.BEHANANS HSS.,
VENNIKULAM, PATHANAMTHITTA.)**

BY ADV. SRI.JACOB P.ALEX

RESPONDENTS:

- 1. GOVERNMENT OF KERALA, REPRESENTED BY
ITS SECRETARY, GENERAL EDUCATION DEPARTMENT.**
- 2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
TRIVANDRUM.**
- 3. MANAGER,
CATHOLICATE & M.D. SCHOOL,
(CORPORATE MANAGEMENT, DEVALOKAM, KOTTAYAM.)**

R1 & R2 BY GOVT. PLEADER (SHRI A.J. VARGHESE)

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K. M. JOSEPH, J.

W.P.C NO. 30822 OF 2006 T

Dated this the 22nd day of November, 2006

JUDGMENT

Petitioner has approached this Court feeling aggrieved by the refusal to grant approval to her appointment as HSST. Exts.P2 is the proceedings of the second respondent, Director of Higher Secondary Education. In Ext.P2, it is, inter alia, stated as follows:

“In this case the change from Mathematics to Computer application in fact necessitates the creation of an additional post of HSST Jr. in Computer application which will become a senior post the next year resulting in huge financial commitment to the Government. Hence this change of subject cannot be granted. The matter has been reported to the Government for reconsideration of this order.”

2. Petitioner has preferred Ext.P3 which is styled as an appeal against Exts.P2. I am unable to take the view that Ext.P3 is maintainable as an appeal against Ext.P2. None-the-less, counsel for petitioner points out that the petitioner's grievance may be redressed, if a decision is taken without delay by

Government as contemplated in Ext.P2. Heard Government Pleader also. In the circumstances, the Writ Petition is disposed of directing first respondent to consider and take a decision in accordance with law in the matter which has been reported to it as referred to by me already in Ext.P2, within a period of six weeks from the date of production of a copy of this Judgment. If the Government feels that it is necessary to hear the petitioner for rendering a proper decision in the matter, certainly it is open to the Government to hear the petitioner.

K. M. JOSEPH, JUDGE

kbk.